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REMARKS

Applicants appreciate the indication of allowable subject matter in the present application.

The amendments of the after-final response filed November 12, 2003 were not entered as indicated by the Advisory Action mailed December 2, 2003. Applicants hereby file this RCE to have the rejections reconsidered in view of the below remarks.

Claims 31, 33-34, 37-42, 54, 57, 60-62, 64, and 67-70 stand rejected under 35 USC 102(e) for anticipation by U.S. Patent No. 5,239,260 to Widder et al

Applicants respectfully traverse the rejection and urge allowance of the present application.

Referring to claim 31, it is stated on pages 2-3 of the Office Action that Widder discloses an engagement probe 20. It is further alleged that any one of the corner edges formed at the bottom portion of engagement probe 20 disclose the claimed apex and any line formed by the truncated pyramid shown at the far edges of contact 22 discloses the knife-edge line. Applicant disagrees.

Applicants submit a copy of the dictionary definition of "knife-edge" as "a sharp narrow edge or margin like that of a knife," or "a narrow ridge." As set forth in col. 4, lines 45-48 the structure 20 is in the shape of a *pyramid*. Further, it is disclosed in line col. 4, lines 45-58 that reference 22 of the bottom of the pyramid 20 is a *contact point* 22 formed on the tip of pyramid 20.

It is clear from the express teachings of Widder that structure 20 is a pyramid having a point to contact a pad. There is absolutely no teaching in Widder that the corner edges or any line of structure 20 may be fairly considered to teach or suggest a sharp narrow

edge or narrow ridge of the knife-edge line as claimed. Fig. 1 clearly illustrates the lower portions of structure 20 being formed by obtuse angles which in no fair interpretation disclose or suggest the claimed knife-edge line. Further, a contact **point** as clearly disclosed in Widder fails to disclose or suggest the claimed knife-edge line configured to removably engage a single conductive pad as claimed. Positively-recited limitations of claim 31 are not shown nor suggested and claim 31 is allowable for at least this reason.

The Examiner's interpretation of Widder is contrary to the express and explicit teachings of the Widder reference. In the event that a rejection of the claims is maintained with respect to the prior art, or a new rejection made, Applicants respectfully request identification in a non-final action of elements which allegedly correspond to limitations of the claims in accordance with 37 C.F.R §1.104(c)(2). In particular, 37 C.F.R §1.104(c)(2) provides that the pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified. Further, 37 C.F.R. §1.104(c)(2) states that the Examiner must cite the best references at their command. When a reference is complex or shows or describes inventions other than that claimed by Applicants, the particular teachings relied upon must be designated as nearly as practicable. The pertinence of each reference if not apparent must be clearly explained for each rejected claim specified. Applicants respectfully request clarification of the rejections with respect to specific references and specific references teachings therein pursuant to 37 C.F.R. §1.104(c)(2) in a non-final Action if any claims are not found to be allowable.

The claims which depend from independent claim 31 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

For example, the Office Action on page 3 identifies the bottom portion of 32 as allegedly disclosing the claimed penetration stop plane of claim 33. Applicants disagree. It is clear in Widder the reference 22 comprises a *contact point*. The Widder reference discloses vibration to establish the *contact* of the contact point 22 with pad 12. Widder fails to disclose or suggest limitations of claim 33 and claim 33 is allowable for this additional reason.

Page 4 of the Action states that limitations of claim 34 are inherent. There is no penetration stop plane let alone the specifically claimed tip being spaced a distance from the penetration stop plane of about one-half the thickness of the conductive pad which the apparatus is adapted to engage. Fig. 1 clearly disclosed a much greater distance between point 22 and a surface 32 than the thickness of pad 12. The Examiner's reliance on inherency is misplaced. The Examiner is reminded that, "in relying upon the theory of inherency, the Examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristics necessarily flow from the teachings of the applied prior art." *Ex parte Levy*, 17 USPQ2d 1461, 1464 (Bd. Pat. App. & Inter. 1990).

Widder fails to disclose or suggest any penetration stop plane teachings let alone the specific configuration of claim 34. The allegedly inherent characteristics do not necessarily flow from the teachings of Widder and the rejection of claim 34 is improper for this additional reason.

Claim 68 recites the substrate comprising a semiconductor substrate and the engagement probe comprises semiconductor material of the semiconductor substrate.

The reliance upon inherency as set forth on page 5 in support of the rejection of claim 68

is improper. Numerous other configurations of structure 20 comprising material other than semiconductor material of a semiconductor substrate are possible. Accordingly, the reliance upon inherency in support of the rejection of claim 68 is improper in view of the above authority.

Referring to the rejection of independent claim 54, the prior art fails to disclose or suggest the probe having an outer surface comprising an apex in the form of at least one **knife-edge line**. The **pyramidal structure 20** and **contact point 22** fail to disclose or suggest the claimed knife-edge line. Claim 54 is allowable for at least this reason.

The bottom portion of layer 32 of Widder also fails to disclose or suggest the positively-claimed penetration stop plane. Widder discloses contacting the pad using the *contact point 22* and there are absolutely no teachings of record that the layer 32 operates as a penetration stop plane.

Numerous limitations of claim 54 are not shown nor suggested by the prior art.

Applicant requests clarification of any rejection of claim 54 in a non-Final Action if such claim is not allowed.

The claims which depend from independent claim 54 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

For example, claim 70 recites the engagement probe comprises semiconductor material formed from a semiconductor substrate. The reliance upon inherency as set forth on page 5 in support of the rejection of claim 70 is improper. Numerous other configurations of structure 20 comprising material other than semiconductor material of a

semiconductor substrate are possible. Accordingly, the reliance upon inherency in support of the rejection of claim 70 is improper in view of the above authority.

Applicants hereby add new claims 73-74 which are supported at least at page 13, line 22 through page 14, line 13 of the originally-filed application.

Applicants request allowance of all pending claims.

The Examiner is requested to phone the undersigned if the Examiner believes such would facilitate prosecution of the present application. The undersigned is available for telephone consultation at any time during normal business hours (Pacific Time Zone).

Respectfully submitted,

ated: 12/29/03

Bv.

James D. Shaurette

Reg. No. 39,833

Webster's Third New International Dictionary

OF THE ENGLISH LANGUAGE
UNABRIDGED

a Merriam-Webster
REG. U.S. PAT. OFF.

WITH SEVEN LANGUAGE
DICTIONARY

VOLUME II

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Title transet n = 1 an act or instance of kneeling transet n = 1 an act or instance of kneeling transet n = 1 and n = 1 and the kneeler, fr. knelen to kneel n = 1 and the kneel (as in worship) 2: something (as a cushion, stool, board) to kneel on 3 a : a stone cut to provide a change of direction in masonry b: a stone so cut as no support and retain the coping of the slope of a gable transet of n = 1 and n =

be support and retain the coping of the slope of a gaole base-let 'neliat' n = \$[\lne + l-et] \cdot \c

below the bowsprit that forms an overlanding wooden ship wooden ship meepad \('n, \n'\) a protective pad for the knee sometimes stached to a garment kneepan \('a, \n'\) [ME knepanne, fr. kne knee + panne pan — more at KNEE, PAN] 1: PATELLA 2: a concavity at the distal end of the femur of an insect the plate n 1: a broad steel plate covering the thigh and projecting on each side and used chiefly in body armor for edung 2: a plate for connecting a beam or girder to the frame of a ship

projecting on each side and used chiefly in body armor for thing 2: a plate for connecting a beam or girder to the frame of a ship the ship and a diagonal brace between a principal rafter and a bie beam as the beam as the

kmez buckle n: a buckle used to fasten knee breeches at or just below the knee n 1: PATELLA 2: a protective cover for the state of the knee n 1: PATELLA 2: a protective cover for the state of the knee n 1: PATELLA 2: a protective cover for the state of the knee n 1: PATELLA 2: a protective cover for the state of the knee n 1: PATELLA 2: a protective cover for the state of the knee n 2: A knee-shaped colter n: a knee-shaped n: a knee-shape

knickers Mack \'nik,nak\ n [redupl. of knack] 1 obs: a petty trick or artifice 2 or nick-nack or nic-nac: a small or trivial article (as of furniture or dress) intended rather for ornament than for use; esp: a small functionless souvenir

tioniess souvenir knick-knack-ato-ry \-o,tōrē\ n -ts [knickknack + -atory (as in conservatory:] archaic ; a repository or collection of knickknacks

knick-knack-ery \-ak(2)re\ n -Es : a knickknack or knick-

Knick-Knacky \-ak(a)r\(\bar{e}\)\ n - Es: a knickknack or knick-knacky \-ak\(\bar{e}\)\ adj 1: devoted to, characterized by, or concerned with knickknacks (a cluttered \simeq toom) (such a \simeq taste) 2: FINKAL, TRIFLING, TRIVILL (such a \simeq taste) 2: FINKAL, TRIFLING, TRIVILL (such a side) 4: so of a hill) knickline \simeq \frac{1}{4} \simeq \frac{1}{4} \simeq \simeq \frac{1}{4} \simeq \frac{1}{4

shape of an envelope (lap as produced by the knile on the cutting machine (the size, ~, and watermark of a stamped envelope)

2knile " bb-ED/-ING/-S vt 1: to use a knile on: as a: to stab, slash, or wound with a knile b: to prune with a knile 2 a: to cut or mark with a knile: as (l): to shape or cut out (as shoe uppers) with a knile (2): to trim (as shoe soles) with a knile b: to spread (as paint) with a knile 3: to try to defeat by underhand means (as a political candidate of one's own party): to work secretly against ione justified in expecting support): UNDERAMINE (aiding today those he knows will ~ him tomorrow) 4 a: to move like a knile in (birds kniling the autumn sky) b: to impart an action like that of a knile (to progress or cut a way with or as if with the blade of a knile (the cruiser kniled through heavy seas) (a hot sun kniling down through the haze) (kniled rapidly along the bone)

knile and fork a 1 Brit: one that eats: TRENCHERMAN (a good knile and fork) 2 a knilves and forks pt (1): paired and solitary cones of the common club moss (Lycopodium clavatum) (2): a club moss that bears knives and forks b: a key fruit of the sycamore maple — usu, used in pl. knile bayonet n: a bayonet with considerable breadth of blade and a handle that enables it to be used as a knile, dagger, or entrenching tool knile board \(\) handle that enables it to be used as a knile, dagger, or entrenching tool

entrenching tool
knifeboard \'..\ \n 1: a board on which knives are cleaned
or polished 2 Brit: a seat on the roof of an old-fashioned

or polished 2 Brit: a seat on the roof of an old-fashioned omnibus knife box also knife case: a receptacle for knives and other table cutlery: as a: an often ornate wooden container with sloping top used esp. during the 18th century in pairs for the storage of knives and spoons b: an open usu. handled tray or rack for the storage of table cutlery knife-boy \(\frac{1}{2} \times \cdot \), \(\frac{1}{2} \times \times \), \(\frac{1}{2} \times \times \), \(\frac{1}{2} \times \times \times \), \(\frac{1}{2} \times \t

whith the care of knives and general odd jobs about a large ahousehold—, knife-edge-\\\^i_a\\ n : a sharp narrow edge or margin like that of a knife: as a : a sharp wedge of steel or other hard material used as a fulcrum or axis of motion for a lever arm or beam in a machine or instrument of precision is a scale, testing machine, pendulum) to minimize friction b: a narrow ridge (as of rock, ice, or sand) c: GRDELE d
knife-edged \\\^i_a\cdot\ adj: having an edge like a knife; usu: extremely sharp or precise \(knife-edged pleats \) \((a knife-edged wit) \) knife

knije

with this is a tapered file with a triangular cross section suggesting that of a knife blade knife fish n: any of several fishes sometimes kept in the tropical aquarium; sp. a small brownish green fish (Gymnotus carapo) from So. America related to the electric eel but lacking electric corage.

carapo) from So. America related to the electric eel but lacking electric organization. America related to the electric eel but lacking electric organization. Planting the content of the

knife money a : ancient Chinese pronze money having the

knife money n: ancient Chinese bronze money having the shape of knives knife pleaf n: one of a series of narrow sharply pressed pleats all turned in one direction knifer \'nīfa/r\'n -s: one that knifes; esp: a person who stabs or slashes another with a knife test n 1: Cheval-De-Frees 2: a support on which a carving knife may be rested on the dining table when not in use knife-er-man \'nifa/r\mon\ n, pl knifermen: a slaughter-house worker who stevers hog hears and lets them hang by a thin resin of many table apparatus.



knife switch n: an electric switch in which contact is made by pushing one or more flat pushing one or more flat is made between the law of such as a contact is made by pushing one or more flat is made by pushing one or more flat is made by pushing one or more flat is made to one is a tool suggestive of a knife tool n: a small wheel used in seal engraving for cutting fine lines knife box popular in the late 18th and early 19th centuries knife way \(\frac{1}{2} \) \(\text{N} \

hood: DUB knight-age \-īd-ij\ n-s 1: knights: or a body of knights (the king and all his ~> 2: a register and account of knights (the several ~> and peerages that register men of nobility and note) 3: kNightHood (hardy service may win a commoner ~>) knight bachelor n, pl knights bachelors also knights bachelor : a knight belonging to the most ancient but the lowest order of English knights and not a member of an order of chivalry ~> see knight analysest

bachelor: a knight belonging to the most ancient but the lowest order of English knights and not a member of an order of chivalry—see KNIGHT BANNERET knight banneret [ME]: a knight of an ancient English order of knighthood that was commonly conferred as a reward for valor on the field of battle and that entitled the holder to bear a banner rather than the pennon of a knight bacholer to bear a banner rather than the pennon of a knight bacholer. In the second class in an honorary order (as the Order of the Bath) with more than one class of membership ranking below a knight grand cross and above a companion knight—companion \(\frac{\sigma_{in}}{\sigma_{in}} \text{ and above a companion knight—companions: a knight genome to an order of knight—companions: a knight belonging to an order of knight-companions —valentine Heywood) knight—errant \(\frac{\sigma_{in}}{\sigma_{in}} \text{ n. pl knights—errant [ME knights-companions—valentine Heywood) knight—errant \(\frac{\sigma_{in}}{\sigma_{in}} \text{ n. pl knights—errant [ME knight erraunt]: a wandering knight; esp: one traveling at random in search of adventures in which to exhibit military skill, prow-

knight-errant \\sigma_errant \\\sigma_errant \\sigma_errant \\\sigma_errant \\\sigma_errant \\\sigma_errant \\\sigma_errant \\\sigma_errant \\\sigma_errant \\\sigma_errant \\\sigma_errant \\\sigma_errant \\\sigma_err

Rnight nospitaler n, pl knights nospitalers usu cap K&H

: HOSPITALER
knight-ia \'nid-\(\tilde{c}\)\ n, cap [NL, fr. Thomas A. Knight †1838

Eng. plant physiologist + NL -ia]: a small genus of Australasian trees or shrubs (lamily Proteaceae) with alternate
leathery leaves, showy racemose flowers, and follicular fruit

- see REWA-REWA
knightless adj. obs: unbecoming a knight: UNCHIVALROUS
knight-li-hood \'nitl\(\tilde{c}\)\ nitl\(\tilde{c}\)\ nitl\(\tilde{c}\)\ knight-ii-hood \'nitl\(\tilde{c}\)\ nitl\(\tilde{c}\)\ night-ii-knight

: kNight-li-ness \(\tilde{c}\)\ 17\(\tilde{c}\)\ 27\(\tilde{c}\)\ 18\(\tilde{c}\)\ 18\(\tilde{c}\)\ 28\(\tilde{c}\)\ 18\(\tilde{c}\)\ 18\(\tilde{c}\)

RNIGHTLY I and I me confirmed in a state of being knightly: broadly: chivalrous courtesy or gracious kindness (a natural ~ characterized all his relations with others) knightling \(\cap \) intim \(\cap \) in the knight or is a knight of little worth or importance: petty knight (might) \(\cap \) intile_-li\(\cap \) adj [ME, \(ln \), \(ln \) knight + -ly] 1 a: of or relating to a knight b: belitting a knight: CHIVALROUS 2: consisting or made up of knights
2 \(\cap \) intile_-li\(\cap \) add (ME, \(ln \), \(\cap \) knightly \(\cap \) add (ME, \(ln \), \(ln \) knightly, \(\cap \) adj \(ln \) in a manner becoming a knight
knightly \(\cap \) add (ME, \(ln \), \(ln \), \(ln \) knightls marshals 1: a former military officer analogous to the modern quartermaster 2: a onetime

officer analogous to the modern quartermaster 2: a onetime officer of the British royal household who had judicial